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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/827,383
		Filing Date	04/04/01
		First Named Inventor	Mittmann, et. al.
		Group Art Unit	1631
		Examiner Name	L. Clow
Total Number of Pages in This Submission	14	Attorney Docket Number	3108.1

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### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">1) Form PTO/SB/08B (seven pages) 2) One CD with electronic copy of references 3) Return postcard</div>
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Sandra Wells, Reg. No- 52,349
Signature	
Date	January 22, 2003

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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PATENT

Attorney Docket No. 3108.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MITTMANN, et. al.

Examiner: L. Clow

Serial No: 09/827,383

Group Art Unit: 1631

Filing Date: 04/04/01

Title: TAG NUCLEIC ACIDS AND  
PROBE ARRAYS

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Washington, D.C. 20231

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for the above patent application.

In an effort to make the review of these references more convenient for the Examiner, Applicants are providing the Examiner and the PTO with a compact disc (CD) with the references available for electronic viewing. The CD contains the articles and information in .pdf format and can be viewed by opening the appropriate file or by selecting the link (CTRL + click) on the 1449 form included on the CD in word format. This IDS is being submitted in each of the applications listed in Table 1 and hard copies of the references cited in the IDS have been provided to Supervisory Primary Examiner Gary Jones as an "Affymetrix Array IDS binder" for the availability of all Examiners. Each of the applications discloses the probes present on one of the commercial arrays available from Affymetrix.

Table 1 summarizes the approximate dates when each of the Affymetrix commercial arrays were first offered for sale. Application serial numbers, Affymetrix docket numbers and priority dates are also included.

Table 1.

Array	Approximate Release Date	Application USSN (Affy. Ref.)	Priority Date
GeneChip HIV PRT 440	April 1996 (see p.8 of S-3 filed 10/17/1997)		
GeneChip p53	July 1997 (see p.8 of S-3 filed 10/17/1997)		
GeneChip CYP450	November 1997		
Hu6800 Set/HuGene FL	January 1998	09/660,222 (3102.1)	11/11/99
Mu6500	January 1998	09/396,196 (3101.1)	9/17/98
Ye6100	January 1998		
Test 1	January 1998		
Hu35K	November 1998		
Hu6800	November 1998		
Mu19K	November 1998		
Mu11K	November 1998		
GeneChip HIV PRT Plus	February 1999		
Rat Genome U34	August 1999	09/954,427 (3112.1)	9/18/00
Rat Toxicology U34	August 1999	09/660,080 (3109.1)	10/28/99
Test 2	August 1999	09/660,247 (3107.1)	10/28/99
HuSNP	August 1999		
Yeast Genome S98	February 2000	09/953,570 (3110.1)	9/14/00
E.coli Genome	February 2000	09/956,604 (3117.1)	9/19/00
Human Cancer G110	February, 2000	09/953.115 (3111.1)	9/14/00
Rat Neurobiology U34	February, 2000	09/954,429 (3114.1)	9/18/00
Human Genome U95	April 18, 2000	10/098,263 (3118.1)	3/16/01
Murine Genome U74	June 27, 2000	09/956,584 (3115.1)	9/20/00
Arabidopsis Genome	June 27, 2000	09/954,445 (3116.1)	9/18/00
GenFlex Tag	July 31, 2000	09/827,383 (3108.1)	4/6/00
Drosophila Genome	January 2001		
Test 3	May 2001	10/215,112 (3119.1)	8/8/01
E. coli Antisense Genome	November 2001		
P. aeruginosa Genome	November 2001		
Human Genome U133	January 2002	60/353,987 (3121)	2/1/02
C. elegans Genome	April 2002		

Citation of these documents shall not be construed as (1) an admission that the document are necessarily prior art with respect to the instant invention; (2) a representation that a search has been

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made, other than as described above; or (3) an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants believe that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 01-0431. Please deduct any additional fees from, or credit any overpayment to the above-noted Deposit Account.

Respectfully submitted,



Sandra Wells

Date: Jan. 22, 2003

Reg. No.: 52,349

Legal Department  
Affymetrix, Inc.  
3380 Central Expressway  
Santa Clara, CA 95051  
Tel: 408/731-5000  
Fax: 408/731-5392



PTO/SB/088(10-01)

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Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	09/827,383
				Filing Date	04/04/01
				First Named Inventor	Mittmann, et. al.
				Group Art Unit	1631
				Examiner Name	TBD
				Attorney Docket Number	3108.1
Sheet	1	of	7		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	1	LIPSHUTZ RJ: Letter from Dr. Lipshutz to Dr. Carrano, August 22, 1994. <a href="#">Link</a>		T <sup>2</sup>
	2	AFFYMETRIX: GeneChip® Assays and Controls Price List, November, 1997. <a href="#">Link</a>		
	3	AFFYMETRIX: GeneChip® Arrays and Assays Product List, January, 1998. <a href="#">Link</a>		
	4	AFFYMETRIX: GeneChip® Arrays and Assays Product List, November, 1998. <a href="#">Link</a>		
	5	AFFYMETRIX: GeneChip® Arrays and Reagents, February, 1999. <a href="#">Link</a>		
	6	AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), July, 1999. <a href="#">Link</a>		JAN 29 2003 TECH CENTER 1600/2900
	7	AFFYMETRIX: Addendum (U.S. and Canada) GeneChip® Arrays and Reagents, August, 1999. <a href="#">Link</a>		
	8	AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), January, 2000. <a href="#">Link</a>		
	9	AFFYMETRIX: Affymetrix® Catalog Addendum GeneChip® Arrays and Reagents (U.S. and Canada), February, 2000. <a href="#">Link</a>		
	10	AFFYMETRIX: Affymetrix® Product Catalog (Global), August, 2000. <a href="#">Link</a>		
	11	AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2001. <a href="#">Link</a>		

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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Information Disclosure Statement by Applicant <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	2	of	7	Application Number	09/827,383
				Filing Date	04/04/01
				First Named Inventor	Mittmann, et. al.
				Group Art Unit	1631
				Examiner Name	TBD
				Attorney Docket Number	3108.1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	12	AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2002. <a href="#">Link</a>	
	13	AFFYMETRIX: Affymetrix® Product Catalog (Global), July, 2002. <a href="#">Link</a>	
	14	AFFYMETRIX: Product Information GeneChip® HuSNP Mapping Assay, 1999. <a href="#">Link</a>	
	15	AFFYMETRIX: Product Information GeneChip® GenFlexTM Tag Array, 2000. <a href="#">Link</a>	
	16	AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 2000. <a href="#">Link</a>	
	17	AFFYMETRIX: Product Information GeneChip® HIV PRT Assay, 1997. <a href="#">Link</a>	
	18	AFFYMETRIX: Product Information GeneChip® HIV PRT Plus, 1998. <a href="#">Link</a>	
	19	AFFYMETRIX: Product Information GeneChip® p53 Assay, 1997. <a href="#">Link</a>	
	20	AFFYMETRIX: Product Information GeneChip® p53 Probe Array and Reagents, 1998. <a href="#">Link</a>	
	21	AFFYMETRIX: Product Information GeneChip® CYP450 Assay, 1997. <a href="#">Link</a>	
	22	AFFYMETRIX: Product Information GeneChip® CYP450 Probe Array and Reagents, 1998. <a href="#">Link</a>	

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	09/827,383
(use as many sheets as necessary)				Filing Date	04/04/01
				First Named Inventor	Mittmann, et. al.
				Group Art Unit	1631
				Examiner Name	TBD
Sheet	3	of	7	Attorney Docket Number	3108.1

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	23	AFFYMETRIX: Product Information GeneChip® Hu6800 Array, 1998. <a href="#">Link</a>	
	24	AFFYMETRIX: Product Information Human Genome U95 Set, 2000. <a href="#">Link</a>	
	25	AFFYMETRIX: Product Information GeneChip® Human Genome U133 Set, 2001. <a href="#">Link</a>	
	26	AFFYMETRIX: Product Information GeneChip® Human Genome Focus Array, 2002. <a href="#">Link</a>	
	27	AFFYMETRIX: Product Information GeneChip® Human Cancer G110 Array, 1999. <a href="#">Link</a>	
	28	AFFYMETRIX: Product Information Rat Neurobiology U34 Array, 2000. <a href="#">Link</a>	
	29	AFFYMETRIX: Product Information GeneChip® Rat Genome U34 Array Set, 1999. <a href="#">Link</a>	
	30	AFFYMETRIX: Product Information GeneChip® Test1, 1998. <a href="#">Link</a>	
	31	AFFYMETRIX: Product Information GeneChip® Test2 Array, 1999. <a href="#">Link</a>	
	32	AFFYMETRIX: Product Information GeneChip® Test3 Array, 2001. <a href="#">Link</a>	
	33	AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 1999. <a href="#">Link</a>	

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(use as many sheets as necessary)				Filing Date	04/04/01
				First Named Inventor	Mittmann, et. al.
				Group Art Unit	1631
				Examiner Name	TBD
Sheet 4		of 7	Attorney Docket Number 3108.1		

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>				
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	34	AFFYMETRIX: Product Information GeneChip® Mu6500 Set, 1998. <a href="#">Link</a>		
	35	AFFYMETRIX: Product Information GeneChip® Murine Genome U74 Set, 2001. <a href="#">Link</a>		
	36	AFFYMETRIX: Product Information GeneChip® Murine 11K Set, 1998. <a href="#">Link</a>		
	37	AFFYMETRIX: Product Information GeneChip® Murine 11K Set, 2001. <a href="#">Link</a>		
	38	AFFYMETRIX: Product Information GeneChip® Murine 19K Set, 1998. <a href="#">Link</a>		
	39	AFFYMETRIX: Product Information Arabidopsis Genome Array, 2000. <a href="#">Link</a>		
	40	AFFYMETRIX: Product Information GeneChip® Arabidopsis ATH1 Genome Array, 2002. <a href="#">Link</a>		
	41	AFFYMETRIX: Product Information E. coli Genome Array, 2000. <a href="#">Link</a>		
	42	AFFYMETRIX: Product Information GeneChip® E. coli Antisense Genome Array, 2001. <a href="#">Link</a>		
	43	AFFYMETRIX: Product Information GeneChip® P. aeruginosa Genome Array, 2001. <a href="#">Link</a>		
	44	AFFYMETRIX: Product Information P. aeruginosa Genome Array, 2001. <a href="#">Link</a>		

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				Examiner Name	TBD
Sheet	5	of	7	Attorney Docket Number	3108.1

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	45	AFFYMETRIX: Product Information Drosophila Genome Array, 2000. <a href="#">Link</a>			
	46	AFFYMETRIX: Product Information GeneChip® B. subtilis Genome Array, 2002. <a href="#">Link</a>			
	47	AFFYMETRIX: Product Information GeneChip® C. elegans Genome Array, 2002. <a href="#">Link</a>			
	48	AFFYMETRIX: Product Information GeneChip® Custom Arrays, 1998. <a href="#">Link</a>			
	49	AFFYMETRIX: Product Information GeneChip® Custom Arrays, 2002. <a href="#">Link</a>			
	50	AFFYMETRIX: Product Information GeneChip® Ye6100 Set, 1998. <a href="#">Link</a>			
	51	AFFYMETRIX: Product Information GeneChip® Human 35K Set, 1998. <a href="#">Link</a>			
	52	CRONIN MT, ET AL, "Cystic fibrosis mutation detection by hybridization to light-generated DNA probe arrays", Human Mutation, 1996, 7, 3, 244-55. <a href="#">Link</a>			
	53	HACIA JG, ET AL, "Detection of heterozygous mutations in BRCA1 using high density oligonucleotide arrays and two-colour fluorescence analysis", Nature Genetics, 1996, 14, 4, 441-7. <a href="#">Link</a>			
	54	KOZAL MJ, ET AL, "Extensive polymorphisms observed in HIV-1 clade B protease gene using high-density oligonucleotide arrays", Nature Medicine, 1996, 2, 7, 753-9. <a href="#">Link</a>			
	55	LOCKHART DJ, ET AL, "Expression monitoring by hybridization to high-density oligonucleotide arrays", Nature Biotechnology, 1996, 14, 13, 1675-80. <a href="#">Link</a>			

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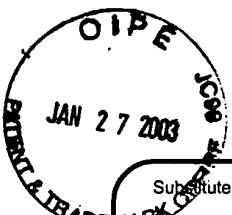
<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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of

7

### Complete if Known

Application Number	09/827,383
Filing Date	04/04/01
First Named Inventor	Mittmann, et. al.
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### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

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	56	SHOEMAKER DD, ET AL, "Quantitative phenotypic analysis of yeast deletion mutants using a highly parallel molecular bar-coding strategy", Nature Genetics, 1996, 14, 4, 450-6. <a href="#">Link</a>	TECH CENTER 1600/2900
	57	WODICKA L, ET AL, "Genome-wide expression monitoring in <i>Saccharomyces cerevisiae</i> ", Nature Biotechnology, 1997, 15, 13, 1359-67. <a href="#">Link</a>	
	58	DE SAIZIEU A, ET AL, "Bacterial transcript imaging by hybridization of total RNA to oligonucleotide arrays", Nature Biotechnology, 1998, 16, 1, 45-8. <a href="#">Link</a>	
	59	FAN JB, ET AL, "Parallel genotyping of human SNPs using generic high-density oligonucleotide tag arrays", Genome Research, 2000, 10, 6, 853-60. <a href="#">Link</a>	
	60	HARMER SL, ET AL, "Orchestrated transcription of key pathways in <i>Arabidopsis</i> by the circadian clock", Science, 2000, 290, 5499, 2110-3. <a href="#">Link</a>	
	61	RIENCKE K, ET AL, "Massive parallel gene expression profiling of RINm5F pancreatic islet beta-cells stimulated with interleukin-1beta", Apmis, 2000, 108, 12, 855-72. <a href="#">Link</a>	
	62	RUDD KE, "New tools for an old workhorse", Nature Biotechnology, 2000, 18, 12, 1241-2. <a href="#">Link</a>	
	63	SELINGER DW, ET AL, "RNA expression analysis using a 30 base pair resolution <i>Escherichia coli</i> genome array", Nature Biotechnology, 2000, 18, 12, 1262-8. <a href="#">Link</a>	
	64	TRAVERS KJ, ET AL, "Functional and genomic analyses reveal an essential coordination between the unfolded protein response and ER-associated degradation", Cell, 2000, 101, 3, 249-58. <a href="#">Link</a>	
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Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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## Complete if Known

Application Number 09/827,383

Filing Date 04/04/01

First Named Inventor Mittmann, et. al.

Group Art Unit 1631

Examiner Name TBD

Attorney Docket Number 3108.1